

## **REMARKS**

Reconsideration of the final Office action issued in connection with the above-identified patent application is requested in view of the foregoing amendments and the following remarks. Prior to entry of the above amendments, claims 1-14, 17, 21, 24-28, 30-32, 34, 36, 40-41, 49, 52-53, 55, 63, 66-76, 78-84, and 86-109 were pending and stand rejected. With the entry of the above amendments, claims 65 and 85 are cancelled without prejudice and claims 2-3, 63, 69, and 87 are amended.

As an initial matter, Applicant thanks the Examiner for his time and comments during a telephone interview with Applicant's undersigned attorney on July 9, 2004. In the interview, the Section 112 rejections from the final Office action were discussed. More particularly, it was agreed that claims 2-3 would be amended to recite alternative language, claim 65 would be cancelled without prejudice, and claim 69 would be amended to recite dry cleaning language directly from the specification, such as from the top of page 26 of the present specification. By the above amendments, claims 2-3 and 69 have been amended and claim 65 has been cancelled without prejudice to overcome and/or render moot the Section 112 rejections in the final Office action. Although Applicant respectfully submits that the rejected claims were properly and sufficiently supported in the specification, Applicant submits that the above amendments address and render the rejections moot.

In the interview, the rejections based on the references of record were also discussed. In particular, it was discussed that claims 1, 69 and 100 recite a dry-cleaning composition not only in the preamble, but also in the body of the claims.

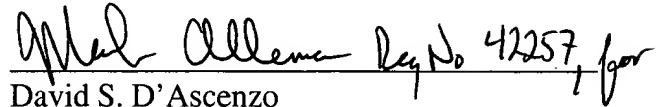
Therefore, while Applicant understands the public policy behind permitting Examiners to not give patentable weight, under certain circumstances, to claim preambles, it was agreed that the above-identified claims positively recited a dry-cleaning composition in the body of the claims. It was further agreed that the cited reference is directed to a fabric softening and/or treatment composition that is added to wet clothes after removal from a washing machine. As such, it was agreed that the cited reference fails to disclose or suggest a dry-cleaning composition, much less the compositions, methods and/or articles recited in the above-identified claims. With this agreement, it was agreed that claims 1, 69 and 100 patentably distinguish the references of record. Other distinctions, such as the method of claim 69 and solid article of claim 100 were also discussed. Claim 85 was also discussed, and it was agreed that claim 85 would be allowable if rewritten in independent form. By the above amendments, claim 85 is rewritten in independent form as amended claim 63.

With the entry of the above amendments and for at least the reasons expressed herein and in Applicant's response to the first Office action, Applicant submits that each of the issues raised in the final Office action has been addressed and overcome. Applicant thanks the Examiner in advance for his time considering the claims pending after entry of the above amendments and Applicant's explanation of the distinctions between the claimed subject matter and the subject matter disclosed in the cited references. If the Examiner identifies any remaining issues or believes that a telephone interview would be productive to advance prosecution of the present

application, Applicant invites the Examiner to contact Applicant's undersigned attorney at the number listed below.

Respectfully submitted,

KOLISCH HARTWELL, P.C.

 *Handwritten signature of David S. D'Ascenzo, with 'Reg No 42257' written next to it.*

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